

CITY OF HUNTINGTON BEACH
PLANNING COMMISSION STUDY SESSION

ENVIRONMENTAL IMPACT REPORT NO. 07-001/
GENERAL PLAN AMENDMENT NO. 05-001/
ZONING MAP AMENDMENT NO. 05-001
(WARNER NICHOLS)

March 26, 2013

SUMMARY

- **Location:** 7622-7642 Warner Avenue, 92647 (southeast corner of Warner Ave. and Nichols St.)

- **Proposed Project:** Rainbow Environmental Services requests the following entitlements:

Environmental Impact Report (EIR) No. 07-001 - To analyze the potential environmental impacts associated with a proposal to change the land use and zoning designations on the subject property and demolish or remove four existing structures that meet state criteria for historic resources.

General Plan Amendment (GPA) No. 05-001 - To change the General Plan land use designation from RM-15 (Residential Medium Density - Max 15 dwelling units per acre) to CG-F1 (Commercial General - Maximum Floor Area Ratio of 0.35) on a ± 1.1 gross acre portion fronting on Warner Ave. and to I-F2-d (Industrial - Maximum Floor Area Ratio of 0.5 - Design Overlay) on a ± 3.3 gross acre portion fronting on Nichols St.

Zoning Map Amendment (ZMA) No. 05-001 - To change the zoning designation from RM (Residential Medium Density) to CG (Commercial General) on a ± 1.1 gross acre portion fronting on Warner Ave. and to IG (General Industrial) on a ± 3.3 gross acre portion fronting on Nichols St.

- **Background:** Charles Mitsuji Furuta relocated from Japan in 1900 and purchased the subject property. He then donated a portion of the land for construction of a church and pastor's house in 1910 for the Japanese Presbyterian Mission of Wintersburg. In 1912, the first house was built for his family. In 1934, the second church located on the corner was constructed. In 1947, another house was built on the property for the Furuta family. The Furuta family farmed on the property and also raised goldfish and water lilies.

The site was used by the Japanese Presbyterian Church until 1966. Subsequently, the church buildings were used by various congregations until 1997. Since then the church buildings have been vacant. In 2002, a proposal to develop a multi-family residential development on the subject site was submitted. Because of concerns with the property being across the street from the Rainbow transfer station, the proposed residential development was withdrawn. In 2004, Rainbow purchased the subject property to prevent it from being developed for residential purposes. No new development is proposed at this time. When Rainbow is ready to develop the property in the future, the intent is to develop the property in such a way as to provide a transition between the transfer facility and the residential neighborhood to the east.

- **Scope of EIR Analysis:** The following determinations were made for the issue areas listed:

Less than significant or no impacts and no further analysis required in EIR: Population and Housing, Geology and Soils, Hydrology and Water Quality, Air Quality, Agricultural Resources, Transportation and Traffic, Biological Resources, Mineral Resources, Hazards and Hazardous Materials, Noise, Greenhouse Gases, Public Services, Utilities and Service Systems, Aesthetics, and Recreation.

Though not required, three precautionary mitigation measures requiring archaeological and paleontological monitoring and an arborist report to protect existing mature trees have been included.

Analyzed in EIR with less than significant impacts: Land Use and Planning

Analyzed in EIR with significant and unavoidable impacts: Cultural Resources – Demolition or removal of the historic resources that exist on the project site is a significant impact that cannot be mitigated to a level of less than significant. It is also inconsistent with General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources.

There are mitigation measures identified in the EIR that require photography and recordation of the historic resources as well as offering them for offsite relocation prior to issuance of a demolition permit. However, even with mitigation, the impacts remain significant and unavoidable.

- **Alternatives:** The following alternatives were analyzed in the EIR:

Alternative 1: No Project – This alternative assumes that existing historic resources will remain on site and the existing General Plan and zoning designations for the property would remain residential.

Alternative 2: Reduce Project (Historic Resource Avoidance) – This alternative involves removing house #2 and the barn which have been identified as not being historic resources and amending the General Plan and zoning designations as proposed by the applicant. The four buildings that have been identified as historic resources (house #1, pastor's house, and both churches) would remain in place.

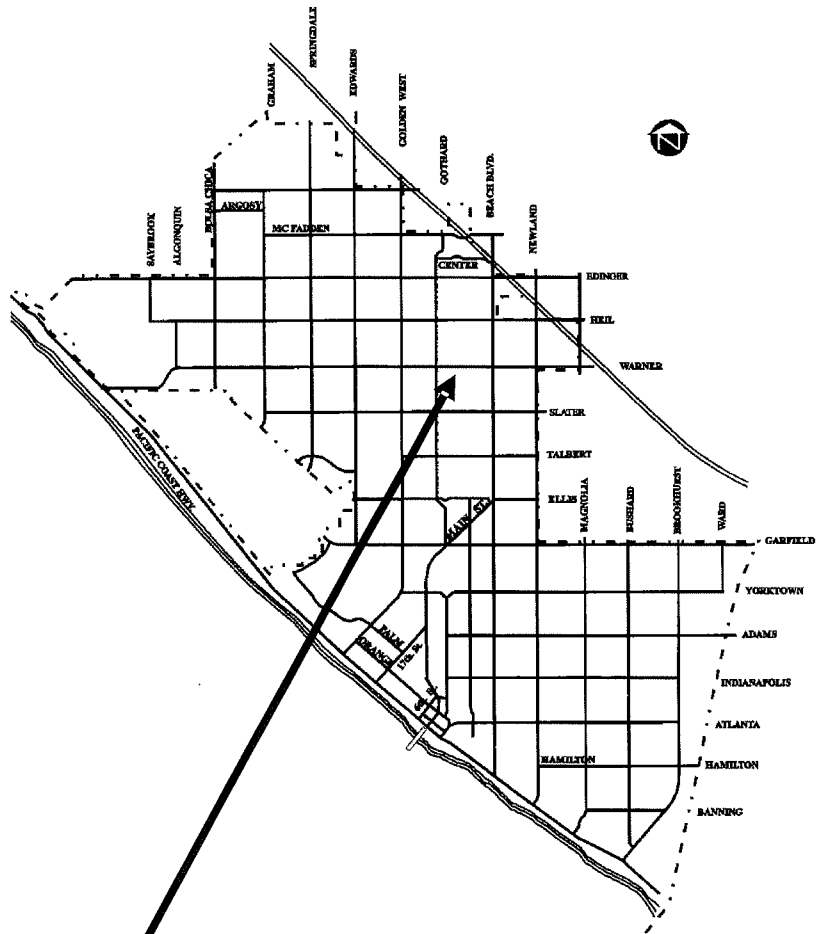
Alternative 3: Historic Resource Renovation Alternative – This alternative is similar to Alternative 2 except that the four buildings that have been identified as historic resources (house #1, pastor's house, and both churches) would remain somewhere on site and be renovated for future commercial or industrial uses.

Environmentally Superior Alternative – The EIR concludes that Alternative 3 is the environmentally superior alternative. However, it would not be a feasible alternative because the small size and internal configurations of the four buildings would constrain commercial activities and make them difficult to lease. In addition, restoration and preservation of the four buildings (not including the cost of building and site maintenance) would be an expensive process that is estimated to take 20 years of lease payments to pay for.

- **Public Participation:**

- 30-day EIR Notice of Preparation public review period (2011) – Seven comment letters were received.
- 45-day Draft EIR public review period (ended November 19, 2012) – 17 comment letters were received. Response to Comments is being prepared.
- Planning Commission public hearing tentatively scheduled for April 23, 2013.

- ❑ **Planning Issues:** The compatibility of the proposed General Plan and zoning designations with the surrounding area.
- ❑ **Attachment:**
 1. Vicinity Map
 2. Site Aerial
 3. Project Narrative dated and received July 26, 2011
 4. Executive Summary of Draft EIR No. 07-001
 5. Draft EIR No. 07-001 (Not attached but available at <http://www.surfcity-hb.org/Government/Departments/Planning/Environmentalreports.cfm>)
 6. Existing and Proposed General Plan Land Use and Zoning Designations



**PROJECT
SITE**

VICINITY MAP

Environmental Impact Report No. 07-001/General Plan Amendment No. 05-001/
Zoning Map Amendment No. 05-001
(Warner Nichols)

ATTACHMENT NO. 1



Figure 2-2
Existing Buildings
Warner-Nichols Project
ATTACHMENT NO. 2



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& Building

RAINBOW DISPOSAL CO., INC. APPLICATION NARRATIVE

Rainbow Disposal Co., Inc. is the owner of the 3.7 acre net parcel of land located at the Southeast corner of Warner Avenue and Nichols Street. The property is currently zoned and generally planned for medium density residential use. Rainbow's purpose in acquiring the property was to prevent residential development from taking place in such close proximity to the disposal and transfer operations. Rainbow is not proposing to develop the property at present. When Rainbow is ready to develop the property in the future, the intent is to develop the property in such a way as to provide a transition between the transfer facility and the residential neighborhood to the east (Oakview).

To accomplish the above objective, Rainbow is proposing the following:

- 1) To amend the Land Use Element of the General Plan
- 2) A Zoning Map Amendment
- 3) To request preparation of an EIR relating to this request including the demolition or removal of all structures on the property

General Plan

To amend the Land Use Element to:

1. Change the 0.96 acre of land frontage on Warner Avenue from RM Medium Density Residential to CG-F1 (Commercial General – Max FAR of 0.35)
2. Change the 2.74 acres of land fronting on Nichols Street from RM Medium Density Residential to I-F2-d (Industrial – Max FAR of 0.50 – Design Overlay)

Zoning Map Amendment

To change the zoning of subject property from RM Medium Density Residential to IG (Industrial General) and to CG (Commercial General) to be consistent with the proposed General Plan Amendment.

Environmental Impact Report (EIR)

An EIR is requested to address the impacts the proposed project will have on the environment.

SURROUNDING PROPERTY – The following is a description of the surrounding property:

- North -- Across Warner Avenue is a private church and school
- West -- Across Nichols Street is industrial (storage facilities and Rainbow Disposal's main facility)
- East -- Multifamily residential (Fourplexes)
- South -- Across Belsito Drive is a public school (Oakview School)

Executive Summary

ES.1 Introduction

The City of Huntington Beach (City) has prepared this Draft Environmental Impact Report (EIR) to evaluate the potential environmental impacts related to proposed changes in General Plan land use and zoning designations, and removal or demolition of the existing structures on the project site located at 7622 and 7642 Warner Avenue. The City is the lead agency responsible for the preparation of this EIR to address the proposed project.

The Executive Summary identifies the purpose of the EIR; provides an overview of the proposed project and alternatives, summarizes the potential impacts and mitigation measures associated with the proposed project, and includes the required contents set forth by the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) and CEQA Statutes provided in California Public Resources Code Section 21000 et seq.

ES.2 Authority

This Draft EIR was prepared to evaluate the potential environmental impacts associated with approvals related to the General Plan amendment and zone change for the project, and to address appropriate and feasible mitigation measures or project alternatives that would reduce or eliminate these impacts. This document is a project EIR and has been prepared pursuant to CEQA and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) (California Code of Regulations, Title 14, Section 15000 et seq.) and CEQA Statutes provided in California Public Resources Code Section 21000 et seq.

This EIR does not set forth City policy about the desirability of the potential project, but is an informational document to be used by decision-makers, public agencies, and the general public that enables them to consider the environmental consequences of the proposed project. During the project review process, the City must consider implementation of all feasible mitigation measures and alternatives developed in the EIR to substantially lessen anticipated environmental impacts of the project.

ES.3 Project Location

The proposed project site is located in the City of Huntington Beach in western Orange County. The project site comprises two contiguous parcels totaling approximately 4.4 gross acres at the southeast corner of Warner Avenue and Nichols Street. The site is bounded by Warner Avenue to the north, Belsito Drive to the south, Emerald Lane to the east, and Nichols Street to the west. The site is known historically as the Wintersburg Japanese Presbyterian Mission and the Furuta residences. The subject assessor parcel numbers (APNs) are 111-372-06 and 111-372-07. The site is located at 33° 42' 54" north latitude and 117° 59' 43" west longitude.

ES.4 Site History and Existing Conditions

The site is currently developed with several vacant structures that have been identified in the General Plan as having historic significance as local landmarks. These structures consist of three residences (Furuta House #1 and #2; and Pastor's House), a barn, and two church buildings (Church #1 and #2). The subject property and its buildings served as a key part of the cultural center of the Japanese immigrants of the Wintersburg area (annexed into the City of Huntington Beach in 1957). The first chapel (Church #1) and residence (Pastor's House) were dedicated on May 8, 1910. In 1930, the Mission became a full-fledged Church and in 1934 a new building (Church #2) was constructed at the front of the property on Warner Avenue. The Furuta Houses #1 and #2 were built in 1914 and 1947, respectively. The site was used by the Japanese Presbyterian Church until 1966, when the Japanese congregation moved to Santa Ana. Subsequently the church buildings were used by various religious congregations until 1997. Since 1997, the church buildings have been vacant. The residential buildings were used by the Furuta family until the late 1990s, and have since been vacant. Since sitting vacant the buildings on site have been vandalized by vagrants and boarded up by the property owner because of security concerns.

The project site has an existing General Plan Land Use designation of RM-15, Residential Medium Density, and is currently zoned RM (Residential Medium Density). The existing designations allow for a mix of residential uses up to a maximum density of 15 dwelling units per net acre.

The project site is located within a developed mixed-use urban area of Huntington Beach. Surrounding uses consist of a school, a church, and multi-family residential uses to the north across Warner Avenue; a school to the south across Belsito Drive; single- and multi-family residential uses to the east; and industrial uses to the west across Nichols Street. The existing industrial uses include the Rainbow Environmental solid waste disposal facility, an industrial storage facility, vehicle tire stores, a hazardous waste (asbestos) trucking and transfer facility, and a building material sales center.

ES.5 Summary of the Proposed Project

ES.5.1 General Plan Amendment and Zone Change

The proposed project includes an amendment to change the existing General Plan land use designation from RM-15 (Residential Medium Density) to I-F2-d (Industrial) on the southern 3.3 acres of the project site (located adjacent to the north of Belsito Lane) and to CG-F1 (Commercial General) on the northern 1.1 acres of the project site that is adjacent to Warner Ave. To be consistent with the General Plan, the project includes a zone change from RM (Residential Medium Density) to IG (General Industrial) on the southern 3.3-acre portion of the project site and to CG (Commercial General) on the northern 1.1-acre portion of the project site.

ES.5.2 Removal of Site Buildings and Improvements

The project would demolish or remove the six existing buildings and the site improvements. This includes removal of the water tanks, agricultural fixtures, and any other remnants from previous uses. However, the existing vegetation on the site (including trees, bushes, and grass) would remain.

After demolition and removal activities, the project site would remain undeveloped and vacant. Only the existing fencing that surrounds the project site and the existing trees and bushes would remain.

No new development or active use is proposed for the project site. The intent of the proposed land uses and zoning designations is to provide appropriate non-conflicting land uses. If any development is proposed for the project site in the future, a project-specific development plan would be required by the City, and any project would be implemented consistent with City entitlement requirements and existing General Plan land use policies that minimize impacts on adjacent existing sensitive uses. Further, an industrial and commercial development proposal may require additional documentation pursuant to CEQA.

ES.6 Project Objectives

The CEQA Guidelines (Section 15124[b]) require that an EIR project description contain a statement of objectives including the underlying purpose of the project. Accordingly, the applicant's objectives of the proposed project include the following:

- Establishing land use and zoning designations that are compatible with the adjacent existing commercial and industrial uses to the west and southwest of the project site.
- Providing a buffer to limit conflicts between the commercial and industrial uses to the west and the existing residential neighborhood to the east.
- Removing the existing structures to eliminate public safety concerns and unsightly conditions.

ES.7 Areas of Controversy

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR contain areas of controversy known to the lead agency, including issues raised by the public. Written agency and public comments received during the public review period are provided in Appendix A. Those comments were used to establish the following environmental issues as areas of controversy warranting detailed analysis in the Draft EIR:

- Potential impacts to a local historic landmark and recommended preservation and/or relocation methods.

ES.8 Issues to Be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved; this includes the choice among alternatives and whether or how to mitigate significant impacts. The major issues to be resolved within the proposed project include decisions by the lead agency as to whether:

- this Draft EIR adequately describes the environmental impacts of the project,
- the recommended mitigation measures should be adopted or modified,
- additional mitigation measures need to be applied to the project, or
- the project should or should not be approved.

ES.9 Significant and Unavoidable Impacts

The following cultural resource related unavoidable impacts would result from implementation of the proposed project.

- The proposed project would result in a substantial adverse change in the significance of several historical resources that exist on the project site. Demolition of a historic resource is considered a significant adverse impact that cannot be mitigated to a level of less than significant.
- The proposed project would conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Demolition of historic resources, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant.

Section 3.1, Cultural Resources, provides a detailed discussion of the environmental setting, impacts associated with the proposed project, and mitigation measures designed to reduce impacts to existing resources on the project site. Implementation of the proposed mitigation measures would reduce some but not eliminate all of the significant impacts. Therefore, impacts related to cultural resources would remain significant and unavoidable. As a result, to approve the proposed project the City of Huntington Beach must adopt a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

The impacts, mitigation measures, and residual impacts for the proposed project are summarized in Table ES-1 at the end of this Executive Summary.

ES.10 Alternatives to the Proposed Project

As required by Section 15126.6(a) of the CEQA Guidelines, an EIR must:

Describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

Further, Section 15126.6(b) Guidelines state:

The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

These alternatives evaluated in the EIR include the following:

- Alternative 1. No-Project Alternative
- Alternative 2. Reduced Project (Historic Resource Avoidance Alternative)
- Alternative 3. Historic Resource Renovation Alternative

ES.11 Summary of Impacts and Mitigation Measures

Pursuant to Section 15123(b)(1) of the CEQA Guidelines, Table ES-1 contains a summary of environmental impacts associated with the proposed project, mitigation measures that would reduce or avoid those effects, and the level of significance of the impacts following the implementation of mitigation measures.

Table ES-1. Summary of Impacts

| Impact | Level of Significance before Mitigation | Mitigation Measures | Level of Significance after Mitigation |
|---|---|---|--|
| Cultural Resources | | | |
| Impact CR-1. Cause an Adverse Change in the Significance of a Historical Resource | Significant | <p>Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2. Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. This written report and large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs and text pursuant to Level III recordation of the Historic American Building Survey (HABS) documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.</p> <p>Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the historic buildings on site, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for</p> | Significant and Unavoidable |

| Impact | Level of Significance before Mitigation | Mitigation Measures | Level of Significance after Mitigation |
|--|---|--|--|
| Impact CR-2. Cause an Adverse Change in the Significance of an Archaeological Resource | Less than Significant | <p>relocation to an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.</p> <p>Mitigation Measure CR-3. Archaeological Resources. Prior to the issuance of demolition permits, the Huntington Beach Department of Planning and Building Director or his designee will confirm that the project plans stipulate that a qualified professional archaeologist will be contacted in the event that potential archaeological resources are discovered during the demolition or removal of the structures. Work will stop until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures to the approval of the City's Planning and Building Department. Treatment measures typically include development of avoidance strategies or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If during cultural resources monitoring the qualified archaeologist determines that the site area of work is unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated.</p> | Less than Significant |
| Impact CR-3. Directly or Indirectly Destroy a Unique Paleontological Resource or Site | Less than Significant | <p>Mitigation Measure CR-4. Paleontological Resources. Prior to the issuance of demolition permits, the Huntington Beach Department of Planning and Building Director or his designee will confirm that the project plans stipulate that a qualified paleontological monitor will be contacted in the event that potential paleontological resources are discovered during demolition or removal of the structures. Work will stop until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate treatment measures to the approval of the City's Planning and Building Department. The monitor will be equipped to salvage resources to avoid construction delays and will be empowered to temporarily</p> | Less than Significant |

| Impact | Level of Significance before Mitigation | Mitigation Measures | Level of Significance after Mitigation |
|---|---|---|--|
| Impact CR-4. Disturb Human Remains | Less than Significant | halt or divert equipment to allow removal of abundant or large specimens. Recovered specimens will be prepared to a point of identification and permanent preservation. Specimens will be curated into a professional, accredited museum repository with permanent retrievable storage. A report of findings with an appended itemized inventory of specimens will be prepared. | |
| Impact CR-5. Conflict with applicable General Plan policies | Significant | Mitigation Measures CR-1 and CR-2. | Significant and Unavoidable |
| Land Use | | | |
| LU-1. Conflict with any applicable land use plan, policy, or regulation | Less than Significant | None. | |
| LU-2. Conflict with existing on-site and adjacent land uses | Less than Significant | None. | |

ATTACHMENT NO. 4.8

ATTACHMENT NO. 5

DRAFT EIR NO. 07-001 NOT ATTACHED

AVAILABLE FOR REVIEW AT:

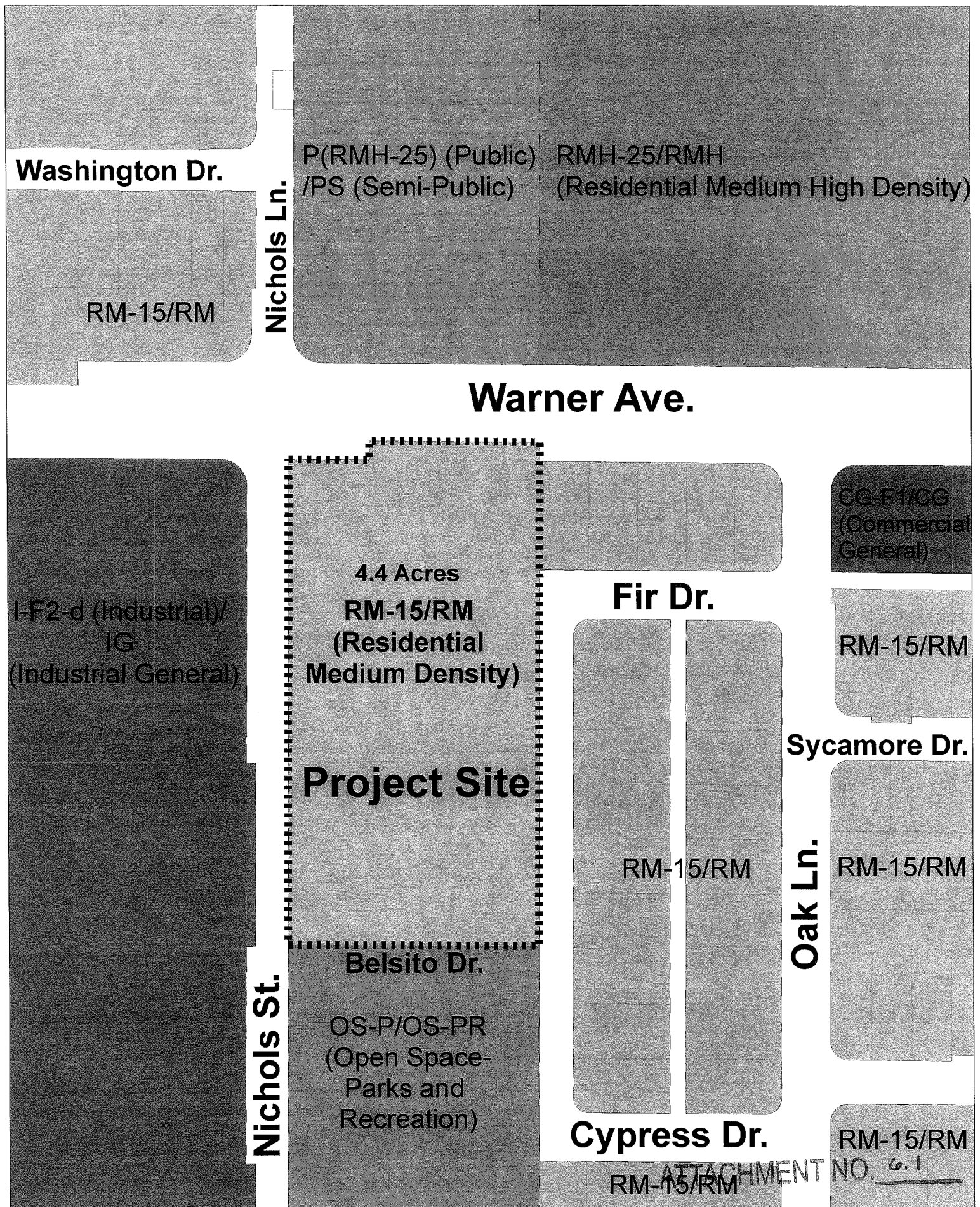
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CITY WEBSITE

<http://www.surfcity-hb.org/Government/Departments/Planning/Environmentalreports.cfm>

Existing General Plan and Zoning Designations



Proposed General Plan and Zoning Designations

